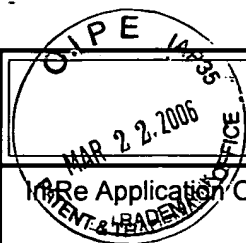


APR 11 2006 PGT/PTO 22 MAR 2005 DLT



**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
040666-US

In Re Application Of: Mock et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/520,437	6 January 2005		30234		7251

Title: Nucleic Acid Sequence Coding for Enzyme Delta-12-Desaturase and Originating from Frangilariopsis Cylindrus, Associated Polypeptides

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

- a.) Copy of Notification of Missing Parts... dated 27 February 2006;
- b.) New Fig. 1 with all Legends in English;
- c.) Applicants' Duly Executed and Corrected Declaration;
- d.) Post Card Receipt;
- e.) Check No. 7542 for \$260.00 under 37 C.F.R. 1.492(h) and 37 C.F.R. 1.492(i);

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of \$260.00 is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. as described below.
  - ☐ Charge the amount of
  - ☐ Credit any overpayment.
  - ☐ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
Signature

Dated: 20 March 2006

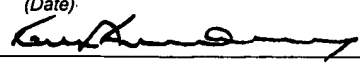
Karl Hormann  
Registration No.: 26,470

Tel.: 617-491-8867

03/27/2006 GFREY1 00000120 10520437

01 FC:1617 130.00 DP  
02 FC:1618 130.00 DP

CC:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on 20 March 2006.	
(Date)	
Signature of Person Mailing Correspondence	
Karl Hormann	
Typed or Printed Name of Person Mailing Correspondence	



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,437	Thomas Mock	030666-US

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/DE03/02401

I.A. FILING DATE	PRIORITY DATE
07/13/2003	07/14/2002

Law Offices of Karl Hormann  
 Po Box 381516  
 Cambridge, MA 02238-1516

CONFIRMATION NO. 7251

371 FORMALITIES LETTER



\*OC000000017891412\*

Date Mailed: 02/27/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/06/2005
- English Translation of the IA filed on 01/06/2005
- Copy of the International Search Report filed on 01/06/2005
- Preliminary Amendments filed on 01/06/2005
- Oath or Declaration filed on 01/06/2005
- Biochemical Sequence Listing filed on 01/06/2005
- Request for Immediate Examination filed on 01/06/2005
- U.S. Basic National Fees filed on 01/06/2005
- Priority Documents filed on 01/06/2005

RECEIVED

MAR - 3 2006

LAW OFFICES OF  
KARL HORMANN

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
  - Fig.1 has not been completely translated (ie. " Arachidonsaure" - on the right side of the fig.)
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
  - The wrong PCT number was typed on the unsigned declaration. Please correct this error prior to

submitting the signed declaration.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

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Telephone: (703) 308-9140 EXT 214

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,437	PCT/DE03/02401	030666-US

FORM PCT/DO/EO/905 (371 Formalities Notice)